

Remarks

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Initially, to the extent the Examiner has not already done so, Applicants request that the Examiner consider the documents listed on the PTO-1449 forms submitted with the Information Disclosure Statements filed on October 10 and 16, 2001, and initial and return such forms with the next official communication. (The PTO-1449 forms enclosed with the last Office Action appear to relate to a different application.)

Claims 1-16 are presented for examination. Claims 1 and 15 are independent.

By this paper, claim 6 has been amended to change its dependency. Support for this change can be found in the original application, as filed. Applicants submit that no new matter has been added.

In the Office Action dated June 15, 2004, claims 1-3, 7, 8, 10, and 13-16 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,264,829 to Antalffy et al. ("the '829 patent), in view of U.S. Patent No. 5,098,524 to Antalffy et al. ("the '524 patent"). Claims 4-6, 9, 11, and 12 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form.

Applicants respectfully traverse the rejections of claims 1-3, 7, 8, 10, and 13-16, and submit that the cited art fails to teach or suggest salient features of their invention, as recited, for example, in independent claims 1 and 15.

Independent claim 1 is directed to an apparatus for removing a bottom cover on a coke drum. The apparatus includes a support structure that supports at least the coke drum, a vertical actuator for moving the bottom cover vertically in a removal operation of the bottom cover, a rotating actuator for rotating the bottom cover in a removal operation, and a frame assembly. The frame assembly has opposing ends, namely, a pivoting end that is attached to the bottom cover, and a sliding end that is slidably mounted such that the frame assembly, the vertical actuator and the rotating actuator cooperate to remove the bottom cover in a removal operation.

Independent claim 15 is directed to a method of removing a bottom cover on a coke drum that includes steps of supporting at least the coke drum using a structure, providing a vertical actuator for moving the bottom cover vertically in a removal operation, providing a rotating actuator, providing a frame assembly having opposing ends so that a pivoting end is attached to the bottom cover and a sliding end is slidably mounted, and actuating the vertical actuator and sliding the sliding end of the frame assembly to move the bottom cover only vertically.

Applicants submit that the cited art does not teach or suggest such features of their invention, as recited in independent claims 1 and 15. The '829 patent discloses a coke drum deheading device that moves a coke drum head 14 in a non-circular path. In the '829 patent, the swing arms 24 noted by the Examiner as constituting a "frame assembly" are pivotally mounted on bearings 28 at each of their ends. As illustrated in FIG. 4 of the '829 patent, when the coke drum head is moved from a closed position (solid lines) to an open position (phantom lines), the

ends of swing arms 24 pivot around bearings 28, but do not slide. This is in contrast to Applicants' invention, as recited in independent claims 1 and 15, for example, in which the frame assembly has a sliding end that is slidably mounted in addition to a pivoting end that is attached to the bottom cover of the coke drum.

Applicants understand that the '524 patent was cited for its disclosure of a ring assembly 15, which the Examiner asserts could be incorporated in the device of the '829 patent as a support structure for the coke drum. Even assuming a motivation existed to make this modification, the '524 patent, like the '829 patent, does not disclose a frame assembly with a sliding end that is slidably mounted.

Accordingly, even when combined in the manner proposed in the Office Action, the cited art fails to teach or suggest the invention recited in independent claims 1 and 15. Applicants request, therefore, that the rejection of independent claims 1 and 15 under § 103(a) be withdrawn. See M.P.E.P. § 2143.03 ("To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.").

Claims 2-14 and 16, which variously depend from independent claims 1 and 15, are believed to be patentable for at least the same reasons as are their respective independent claims. Further individual consideration of the dependent claims is requested.

Applicants submit that the subject application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney can be reached in the Washington, D.C. office of Fitzpatrick, Cella, Harper & Scinto by telephone at (202) 530-1010. All correspondence should continue to be directed our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edmund J. Haughey', is written over a horizontal line.

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